

01-26-01 A



NEW, CONTINUATION, DIVISIONAL OR  
CONTINUATION-IN-PART APPLICATION  
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 4075-000002

Express Mail Label No. EL684108646US

Date January 24, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Hon. Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a patent application for THERMOFORMED APPARATUS HAVING A COMMUNICATIONS DEVICE.

identified by:  First named inventor \_\_\_\_\_  
or  Attorney Docket No. (see above)

1. Type of Application

This application is a new (non-continuing) application.

This application is a  continuation /  divisional /  continuation-in-part of prior application No. \_\_\_\_\_. Amend the specification by inserting before the first line the sentence:

--This is a [continuation/division/continuation-in-part] of United States patent application No. \_\_\_\_, filed \_\_\_\_\_.--

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 08-0750 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

2. Contents of Application

- a.  Specification of 51 pages;  
 A microfiche computer program (Appendix);  
 A nucleotide and/or amino acid sequence submission;
- Because the enclosed application is in a non-English language, a verified English translation  is enclosed  will be filed.
- Cancel original claims \_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)

b.  Informal Drawings on 12 sheets showing Figures 1-24;

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c.  An unsigned Oath/Declaration is enclosed. A signed Oath/Declaratoin will be filed in accordance with 37 C.F.R. §1.53(f).

The enclosed Oath/Declaration is [ ] newly executed / [ ] a copy from a prior application under 37 C.F.R. §1.63(d) / [ ] accompanied by a statement requesting the deletion of person(s) not inventors in the continuing application.

d. [ ] Form PTO/SB/35, a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i), requesting non-publication of this application, is enclosed.

e. **Fees**

| FILING FEE  | Number       | Number    | Basic Fee       |
|---|--------------|-----------|-----------------|
| CALCULATION   | Filed        | Extra     | Rate            |
| Total Claims  | 74 - 20 = 54 | × \$18.00 | = 972.00        |
| Independent Claims  | 12 - 3 = 9   | × \$80.00 | = 720.00        |
| Multiple Dependent Claim(s) Used                          |              | \$270.00  | =               |
| FILING FEE - NON-SMALL ENTITY                             |              |           | 2,402.00        |
| FILING FEE - SMALL ENTITY: Reduction by 1/2               |              |           |                 |
| [ ] Verified Statement under 37 C.F.R. §1.27 is enclosed. |              |           | 1,201.00        |
| [ ] Verified Statement filed in prior application.        |              |           |                 |
| Assignment Recordal Fee (\$40.00)                         |              |           |                 |
| 37 C.F.R. §1.17(k) Fee (non-English application)          |              |           |                 |
| <b>TOTAL</b>  |              |           | <b>1,201.00</b> |

[ ] A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 08-0750. A duplicate copy of this document is enclosed.

The calculated fees will be paid within the time allotted for completion of the filing requirements.

[ ] The calculated fees are to be charged to Deposit Account No. 08-0750. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

[ ] **Foreign Priority:** Priority based on \_\_\_\_\_ Application No. \_\_\_\_\_, filed \_\_\_\_\_, is claimed.

[ ] A copy of the above referenced priority document [ ] is enclosed / [ ] will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).

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**Provisional Application Priority:** Priority based on United States Provisional Application No. 60/177,383, filed January 24, 2000, is claimed under 35 U.S.C. §119(e).

**4. Other Submissions**

A Preliminary Amendment is enclosed.

An Information Disclosure Statement, \_\_\_\_\_ sheets of PTO Form 1449, and \_\_\_\_\_ patent(s)/publications/documents are enclosed.

A power of attorney

is submitted  with the new Oath/Declaration.

is of record in the prior application and  is in the original papers /  a copy is enclosed.

An Assignment of the invention

is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.

is of record in a prior application. The assignment is to \_\_\_\_\_, and is recorded at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_.

An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.

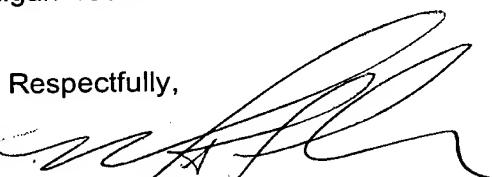
An Express Mailing Certificate is enclosed.

Other: \_\_\_\_\_

Attention is directed to the fact that the correspondence address for this application is:

Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600.

Respectfully,

  
Monte L. Falcoff  
Reg. No. 37,617

Date January 24, 2001  
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Bloomfield Hills, Michigan 48303  
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January 24, 2001

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

**EXPRESS MAILING CERTIFICATE**

Applicant(s): Scott A. W. Muirhead

Serial No. (if any):

Title: THERMOFORMED APPARATUS HAVING A COMMUNICATIONS DEVICE

Attorney Docket: 4075-000002

Attorney: Monte L. Falcoff

“Express Mail” Mailing Label No. ....**EL684108646US**

Date of Deposit.....**January 24, 2001**

I hereby certify and verify that the accompanying New Application Transmittal Letter (in triplicate); 51-Page Patent Application; Unsigned Declaration and Power of Attorney, 12 Sheets of Informal Drawings showing Figures 1-24 are being deposited with the United States Postal Service Express Mail Post Office To Addressee service under 37 C.F.R. 1.10 on the date indicated above and are addressed to Commissioner of Patent and Trademarks, Box: Patent Application, Washington, D.C. 20231.

*Christine Keffler*  
Signature of Person Mailing Document(s)